

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

KAREN KAY PHILLIPS,

Plaintiff,

V.

COUNTY OF SMITH, PHILIP
GREANEAD, SMITH COUNTY
DETECTIVE; JOHNATHAN PETERS,
SMITH COUNTY DEPUTY; RILEY
RUGG, SMITH COUNTY DEPUTY; AND
WARNED LARRY SMITH., SMITH
COUNTY SHERIFF;

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CIVIL ACTION NO. 6:23-CV-00293-JDK

Defendants.

SHOW CAUSE ORDER

This civil action was filed in the Southern District of Texas on May 30, 2023, and transferred to this court on June 13, 2023. (Doc. Nos. 1, 2.) Thereafter, Defendants filed a motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6). (Doc. No. 4.) Defendants notified the court that the motion was served on Plaintiff via certified mail on July 14, 2023. (Doc. No. 6.) Local Rule 7(e) provides that “[a] party opposing a motion has fourteen days (twenty-one days for summary judgment motions) from the date the motion was served in which to file a response and any supporting documents, after which the court will consider the submitted motion for decision.” L.R.-CV 7(e). Here, more than fourteen days have passed since Plaintiff was served with Defendants’ motion to dismiss on July 14, 2023, and Plaintiff has not filed a response. Nor has Plaintiff filed any other documents in this case.

The court has concerns regarding Plaintiff's desire to prosecute this action as well as her participation in the filing of this action. Accordingly, the court sets this matter for a show cause hearing on **August 17, 2023 at 10:00 A.M.** before the Honorable John D. Love. The parties are to use the following link to connect to the video scheduling conference: <https://www.zoomgov.com/j/1608601644?pwd=bmQ5cmsxMmZNanlsUnNqbTY2a1ovQT09>. Plaintiff, Karen Kay Phillips, must be present for the hearing and be prepared to discuss with the court whether she intends to proceed with this action and whether she personally initiated the action. The court will solicit responses **only** from Ms. Phillips and/or her licensed attorney and counsel for Defendants. Plaintiff is warned that a failure to comply with this order may result in the dismissal of this action for failure to prosecute.

So ORDERED and SIGNED this 4th day of August, 2023.



JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE